


FORM PTO-1390 (REV. 11-2000) modified		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER <b>3065 USOP</b>	
<b>TRANSMITTAL LETTER TO THE UNITED STATES          DESIGNATED/ELECTED OFFICE (DO/EO/US)          CONCERNING A FILING UNDER 35 U.S.C. 371</b>				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/517214</b>	
INTERNATIONAL APPLICATION NO. <b>PCT/JP03/06389</b>		INTERNATIONAL FILING DATE <b>May 22, 2003</b>		PRIORITY DATE CLAIMED <b>May 24, 2002</b>	
TITLE OF INVENTION <b>1, 2-AZOLE DERIVATIVES WITH HYPOGLYCEMIC AND HYPOLIPIDEMIC ACTIVITY</b>					
APPLICANT(S) FOR DO/EO/US <b>Tsuyoshi MAEKAWA, Ryoma HARA, Hiroyuki ODAKA, Hiroyuki KIMURA, Hideya MIZUFUNE, Kohji FUKATSU</b>					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. Cited References</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</li> <li>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information:           <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div>             Itemized Return Postcard; Certificate of Express Mailing;              PCT Request; IPER; ISR; Cover Page International              Application; Forms PCT/IB/301, 304, 308           </div> <div>             Express Mail Label No. EV 524906570 US              Date of Deposit November 23, 2004           </div> </div> </li> </ol>					

U.S. APPLICATION NO. (if known) <b>10/517214</b>		INTERNATIONAL APPLICATION NO. <b>PCT/JP03/06389</b>		ATTORNEY'S DOCKET NUMBER <b>3065 US0P</b>	
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. .... \$1110.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$950.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$790.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$750.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00 <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS PTO USE ONLY</b>	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 950.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	33 - 20 =	13	x \$18.00	\$ 234.00	
Independent claims	10 - 3 =	7	x \$88.00	\$ 616.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$300.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1,800.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	
<b>SUBTOTAL =</b>				\$ 1,800.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$ 1,800.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 1,800.00	
				Amount to be refunded:	\$
				charged:	\$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>500799</u> in the amount of \$ <u>1,800.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>500799</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Mark Chao, PhD, JD Takeda Pharmaceuticals North America, Inc. 475 Half Day Road Lincolnshire, IL 60069 USA (847)383-3391 fax (847)383-3409					
 SIGNATURE Mark Chao, PhD, JD NAME 37,293 REGISTRATION NUMBER For Customer No. 23,115					

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	Based on PCT/JP03/06389	Art Unit:	tba
Filed:	Intl. Filing 22 MAY 2003	Examiner:	tba
1 <sup>st</sup> Inventor:	Tsuyoshi MAEKAWA	Allowed:	
For:	1,2-Azole Derivatives with Hypoglycemic and Hypolipidemic Activity	Batch:	
Atty. Dkt. No.	3065 USOP	Paper No.:	

## CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10

USPS EXPRESS MAIL LABEL. No. EV 524906570 US

DATE IN: November 23, 2004

### Itemized Papers/Items:

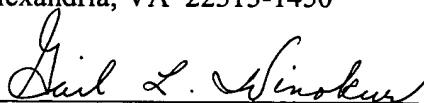
1. This Certificate and Return Postcard (2 pages)
2. Transmittal Letter for Filing under 35 USC 371 (2 pages X 2)
3. Specification - total pages (548 including Claims 1-33 (pages 533-547), and Abstract (1 page)
4. PCT Request (7 pages)
5. Copies of Forms PCT/IB/301, 304, 308 (5 pages)
6. Copy of Cover Page International Application (WO 03/099793) (1 page)
7. Copy of International Search Report (11 pages)
8. International Preliminary Examination Report (12 pages)
9. Preliminary Amendment (19 pages)
10. Information Disclosure Statement (1 page), Form PTO/SB/08A & 08B (6 pages), cited references (30)
11. Submission of Sequence Listing Requirements (1 page), CRF of Sequence Listing (5 pages), and IBM PC/AT format disk containing the CRF of the Sequence Listing

The undersigned hereby certifies that the above itemized papers are together being deposited with the Express Mail Post Office to Addressee service of the United States Postal Service (USPS) in an envelope with sufficient postage, having the USPS Express Mail Label No. shown above, and addressed to:

MAIL STOP PCT  
P.O. BOX 1450  
Commissioner for Patents  
Alexandria, VA 22313-1450

on this date, 11/23/04

Dated: 11/23/04

  
Gail L. Winokur

Takeda Pharmaceuticals North America, Inc.  
Intellectual Property Department  
475 Half Day Road  
Lincolnshire, IL 60069 USA